

01-2604

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15783.1

In Re Application Of: Steven J. Bratessani, et al.

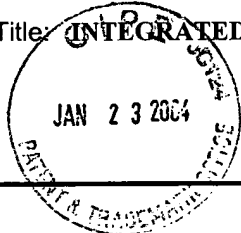
Serial No.
10/692,472

Filing Date
October 23, 2003

Examiner
Unknown

Group Art Unit
Unknown

Title: **INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE**



Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15783.1

In Re Application: Steven J. Bratessani, et al.

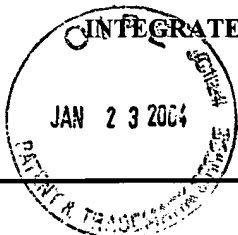
Serial No.
10/692,472

Filing Date
October 23, 2003

Examiner
Unknown

Group Art Unit
Unknown

INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

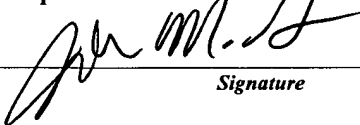
Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

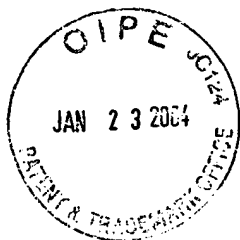
Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.


Signature

Dated: January 23, 2004

CC:



PATENT APPLICATION
Docket No: 15783.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
	Steven J. Bratessani, et al.)	
Serial No.:	10/692,472)	Art Unit
Confirmation No.:	Unknown)	
Filed:	October 23, 2003)	
For:	INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE)	
Examiner:	Unassigned)	

EXPRESS MAIL LABEL NO. EV 382940972 US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Box: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated this 23 day of January 2004.

- Transmittal for Information Disclosure Statement (2 pg.)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (3 pgs.)
- Copies of 14 cited references
- Postcard

Respectfully submitted,

Kimberly Kendrick
Paralegal to R. Burns Israelsen

EXPRESS
OIPF 30124
JAN 23 2004
PATENT & TRADEMARK OFFICE
In re applic

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Steven J. Bratessani, et al.

Art Unit

October 23, 2003

Unassigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

1

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

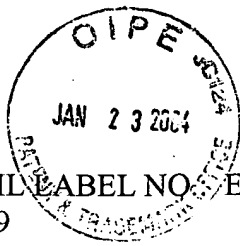
Dated this 23rd day of January 2004.

Respectfully submitted,



John M. Gynn
Attorney for Applicant
Registration No. 36,153
Customer No. 022913

JMG:kk
KKK0000001702V001



EXPRESS MAIL LABEL NO. EV 382940972 US

Form PTO-1449

Sheet 1 of 4

Applicant: Steven J. Brattesani, et al.

Serial No.: 10/692,472

Att'y Docket No.: 15783.1

Filing Date: October 23, 2003

Confirmation No.: Unknown

For: INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner <u>Initial*</u>	Patent <u>Number</u>	Issue/Publication <u>Date</u>	<u>Name</u>	Filing <u>Date</u>
NONE				

Foreign Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Publ. <u>Date</u>	Country or <u>Patent Office</u>	Sub <u>Class</u>	<u>Class</u>	Trans- <u>lation</u>
NONE						

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner
Initial*

- _____ A1. Voice-activated remote control advertisement, pg. 40, Discovery Channel Store catalog, (at least earlier than October 23, 2003).
- _____ A2. Rechargeable Handheld & Cordless Massager advertisement, pg. 33, Discovery Channel Store catalog, (at least earlier than October 23, 2003).

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 382940972 US

Form PTO-1449

Sheet 2 of 4

Applicant: Steven J. Brattesani, et al.

Serial No.: 10/692,472

Att'y Docket No.: 15783.1

Filing Date: October 23, 2003

Confirmation No.: Unknown

For: INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE

-
- _____ A3. The Infrared Penetrating Massager advertisement, pg. 6, Hammcher Schlemmer & Co. catalog, (at least earlier than October 23, 2003).
- _____ A4. Pedicure Foot Salon advertisement, pg. 31, Discovery Channel Store catalog, (at least earlier than October 23, 2003).
- _____ A5. Blissful Foot Massager advertisement, pg. 30, Discovery Channel Store catalog, (at least earlier than October 23, 2003).
- _____ A6. Total Foot Massager with Heat advertisement, pg. 15, Sharper Image catalog, (at least earlier than October 23, 2003).
- _____ A7. Never Lose the Remote Control Again! Advertisement, pg. 7, unknown catalog, (at least earlier than October 23, 2003).
- _____ A8. Largest Universal Remote advertisement, pg. 23, unknown catalog, (at least earlier than October 23, 2003)
- _____ A9. Thumper Mini Pro II Massager advertisement, pg. 50, Sharper Image catalog, (at least earlier than October 23, 2003).
- _____ A10. Acu Vibe Rechargeable Personal Massager advertisement, pg. 50, Sharper Image catalog, (at least earlier than October 23, 2003).
- _____ A11. Homedics Luxury Bubbler foot bath advertisement, pg. 23, JCPenney Valentines Day ad, 2003.
- _____ A12. Homedics StyleSpa Ultra manicure/pedicure system or Infra-Tech massager advertisement, pg. 23, JCPenney Valentines Day ad, 2003.
-

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 382940972 US

Form PTO-1449

Sheet 3 of 4

Applicant: Steven J. Brattesani, et al.

Serial No.: 10/692,472

Att'y Docket No.: 15783.1

Filing Date: October 23, 2003

Confirmation No.: Unknown

For: INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE

_____ A13. Homedics ParaSpa Elite Paraffin and Therapist Action Massager advertisement, pg. 23, JCPenney Valentines Day ad, 2003.

_____ A14. Homedics Foot Salon Ultra advertisement, pg. 23, JCPenney Valentines Day ad, 2003.

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 382940972 US

Form PTO-1449

Sheet 4 of 4

Applicant: Steven J. Brattesani, et al.

Serial No.: 10/692,472

Att'y Docket No.: 15783.1

Filing Date: October 23, 2003

Confirmation No.: Unknown

For: INTEGRATED REMOTE CONTROL AND MESSAGE DEVICE

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

W:\15783\1\KKK0000001700V001.doc

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.